

Patent Appln. No. 10/828,379
Atty. Docket No. PC19450B

REMARKS

Power of Attorney

Inasmuch as the Power of Attorney and Statement under 37 CFR 3.73(b) filed 21 October 2005 has not be acknowledged in this application, Applicants are resubmitting the same as copies of the original.

Status of the Claims

Claims 60-83 (all of the pending claims) stand non-finally rejected as lacking written description and/or for obviousness double patenting. By this amendment, claim 79 is canceled without prejudice or disclaimer and new claim 84 is added. Support for claim 84 is in the original disclosure, including originally filed claim 22.

Response to Double-Patenting Rejections

Claims 60-83 are provisionally rejected on grounds of obviousness-type double-patenting over certain claims of Appln. Nos. 10/828,483; 10/942,197; and 10/942,604. Although Applicants disagree with the rejections, Applicants are submitting herewith terminal disclaimers over the three cited applications in order to obviate the three provisional rejections and to expedite prosecution.

Reconsideration and withdrawal of the rejections are respectfully requested.

Response to Written Description Rejection

Claims 75, 77, 79, 81, and 83 are rejected under 35 USC § 112, ¶ 1, as allegedly lacking written description. Certain claim language in each claim is cited in the rejection as causing the rejection.

For claim 75, Applicants believe that support is in the original disclosure, e.g., at ¶ 0170 wherein a first week, second week, and minimum 4-10 mg/L are disclosed.

For claim 77, Applicants believe that support is in the original disclosure, e.g., at ¶ 0096, discussing preferred pH ranges.

For claim 79, Applicants believe that support is in the original disclosure, e.g., at ¶ 0096, disclosing stabilizer ratios. Nonetheless, Applicants have canceled the claim without prejudice or disclaimer.

For claim 81, Applicants believe that support is in the original disclosure, e.g., at ¶ 0044, disclosing Bo component amounts and ranges.

For claim 83, Applicants believe that support is in the original disclosure, e.g., in original claim 18, which forms part of the disclosure, and Table 9.

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In view of the above, Applicants respectfully request reconsideration and withdrawal of the rejection.

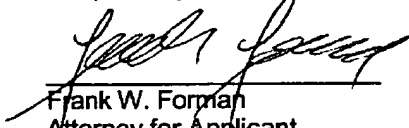
Conclusion

In view of the above, Applicants respectfully submit that the pending claims are allowable in their present form, and that the application is otherwise in condition for allowance. The Examiner is respectfully requested to withdraw the rejections and, as the next official action, to provide a Notice of Allowance.

If any issues remain which can be resolved by a telephone conference, or should the Examiner have any questions or comments regarding this matter, the Examiner is respectfully invited to contact the undersigned at the telephone number shown below.

Date: 1 March 06

Respectfully submitted,


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